

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
AUG 29 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROCEDURAL ORDER FOR SOCIAL SECURITY REVIEW ACTIONS

CASE NO. CV 08 4136 MEJ

TO PARTIES AND COUNSEL OF RECORD IN THE ABOVE ACTION:

The above action seeks review of a decision by the Secretary of Health and Human Services denying plaintiff Social Security payments. The parties are reminded that the Court's jurisdiction is limited to reviewing the administrative record to determine whether the decision is supported by substantial evidence in the record, and whether the Secretary complied with the requirements of the Constitution and the Social Security Act and administrative regulations in reaching the decision reviewed. 42 U.S.C. Section 405(g).

Pursuant to Civil L.R. 16-5, IT IS HEREBY ORDERED:

- 1.. Defendant shall serve and file an answer, together with a certified copy of the transcript of the administrative record, within ninety days of receipt of service of the summons and complaint.
2. Plaintiff shall serve and file a motion for summary judgment or for remand within thirty days of service of defendant's answer.
3. Defendant shall serve and file any opposition or counter-motion within thirty days of service of plaintiff's motion.
4. Plaintiff may serve and file a reply within fourteen days of service of defendant's opposition or counter-motion.
5. Unless the court orders otherwise, upon the conclusion of this briefing schedule, the matter will be deemed submitted for decision without oral argument.

DATED:

FOR THE COURT:
RICHARD W. WIEKING, Clerk

By:


Helen L. Almacen
Deputy Clerk